

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON

Michael Kingsley,

Plaintiff,

v.

Case No. 3:22-cv-185

District Judge Thomas M. Rose

Magistrate Judge Chelsey M. Vascura

Kilolo Kijakazi,

Acting Commissioner of Social Security,

Defendant.

**ENTRY AND ORDER ADOPTING REPORT AND
RECOMMENDATIONS OF MAGISTRATE JUDGE CHELSEY M.
VASCURA (DOC. 14), OVERRULING PLAINTIFF'S OBJECTIONS
(DOC. 16), FINDING THE COMMISSIONER'S FINDING OF NON-
DISABILITY TO BE SUPPORTED BY SUBSTANTIAL EVIDENCE
AND THAT ANY ERRORS IDENTIFIED BY PLAINTIFF ARE
HARMLESS; AND TERMINATING CASE.**

This matter comes before the Court pursuant to Objections (Doc. 16) to the Report and Recommendations of Magistrate Judge Chelsey M. Vascura (Doc. 14) recommending that the Court find that substantial evidence supports the Commissioner's subjective symptom assessment and that any errors identified by Plaintiff are harmless and the case be terminated.

The Court has reviewed the findings of the Magistrate Judge and the objection thereto. Pursuant to 28 U.S.C. § 636(b) and Fed. R. Civ. P. 72(b), this Court has made a *de novo* review of the record in this case. Upon consideration of the foregoing, the Court finds the Objections (Doc. 16) are not well-taken and are hereby **OVERRULED**.

The Court **ADOPTS** the Report and Recommendations (Doc. 14) in its entirety. The Court finds that substantial evidence supports the Commissioner's subjective symptom assessment and that any errors identified by Plaintiff are harmless. The instant case is **TERMINATED** on the docket of the United States District Court for the Southern District of Ohio, Western District at Dayton.

DONE and **ORDERED** this Friday, February 17, 2023.

s/THOMAS M. ROSE

THOMAS M. ROSE
UNITED STATES DISTRICT JUDGE